

[Dkt. Ent. 8]

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY
CAMDEN VICINAGE

SCOT JOHN TOMASZEWSKI,

Plaintiff,

v.

CAMDEN COUNTY PARKS
DEPARTMENT, et al.,

Defendants.

Civil Action No. 14-cv-06649

MEMORANDUM ORDER

This matter comes before the Court upon an unopposed motion to dismiss filed by the County of Camden, Camden County Police Department, Camden County Sheriff's Office, Camden County Parks Department, and Camden County Public Works (the "Defendants"). (Dkt. Ent. 8.) Plaintiff Scot John Tomaszewski (the "Plaintiff") commenced this lawsuit, alleging that Defendants removed his campaign signs from private property in violation of his "equal rights" and his Second Amendment rights. (See Compl. at 3.) As relief, Plaintiff sought an order from this Court preventing Defendants from "removing, obstructing[, and] destroying [his] advertising signs . . . until Nov. 5, 2014 [the election]." (Compl. at 4.) Defendants have moved to dismiss on several grounds, including that the matter is now moot as the election was held on November 4, 2014. In order for this Court to

exercise jurisdiction, there must be a case or controversy. See, e.g., North Carolina v. Rice, 404 U.S. 244, 246 (1971). "A case may become moot if (1) the alleged violation has ceased, and there is no reasonable expectation that it will recur, and (2) interim relief or events have 'completely and irrevocably eradicated the effects of the alleged violation.'" Finberg v. Sullivan, 658 F.2d 93, 97-98 (3d Cir. 1981) (quoting County of Los Angeles v. Davis, 440 U.S. 625, 631 (1979)). Here, it appears that the removed signs were returned to Plaintiff the day after they were removed, on October 27, 2014. In any event, the election has long since passed. Accordingly, it appears this matter is moot and must be dismissed.

FOR THESE REASONS, **IT IS** on this, the 24th day of March 2015, hereby

ORDERED that, unless the Court receives a response from Plaintiff on or before April 3, 2015 that addresses the arguments set forth by Defendants in their motion to dismiss, it will dismiss the matter as moot and direct the Clerk of the Court to close the file.

s/Renée Marie Bumb
RENÉE MARIE BUMB
UNITED STATES DISTRICT JUDGE